

**TO: Interested Parties**  
**FROM: Rhode Island Executive Office of Health and Human Services (EOHHS)**  
**DATE: August 3, 2021**  
**SUBJECT: Public Notice of Proposed Rulemaking**

---

**Rulemaking Action:** Direct Final Amendment

These regulations are being promulgated pursuant to the authority contained in R.I. Gen. Laws Chapter 40-8 (Medical Assistance); R.I. Gen. Laws Chapter 40-6 (“Public Assistance”); R.I. Gen. Laws Chapter 42-7.2; R.I. Gen. Laws Chapter 42-35; and Title XIX of the Social Security Act.

**210-RICR-50-00-8 Post-Eligibility Treatment of Income (PETI)**

The Secretary of the Rhode Island Executive Office of Health and Human Services (EOHHS) has under consideration an amendment to the Medicaid regulations entitled, 210-RICR-50-00-8 Post-Eligibility Treatment of Income (PETI).

This amendment increases the Home and Community Based Maintenance of Needs Allowance from 100% of the Federal Poverty Limit plus twenty dollars (\$20) to 300% of the Federal Social Security Income (SSI) Federal Benefit rate. This allows individuals who are living in the community receiving home- and community-based services (HCBS) to be able to keep more of their income for living expenses.

These proposed rules are accessible on the R.I. Secretary of State’s website:

<http://www.sos.ri.gov/ProposedRules/>, the EOHHS website: [www.eohhs.ri.gov](http://www.eohhs.ri.gov), or available in hard copy upon request (401 462-1501 or RI Relay, dial 711). Interested persons should submit data, views, or written comments by **September 2, 2021** to Katy Thomas, RI Executive Office of Health & Human Services, Virks Building, 3 West Rd, Cranston, RI 02920 or [Kathryn.thomas@ohhs.ri.gov](mailto:Kathryn.thomas@ohhs.ri.gov).

The Department does not expect the proposed amendment to be controversial. **If no formal objection is received on or before September 2, 2021, the Executive Office of Health and Human Services will file the Amendment without opportunity for public comment.**

The Executive Office of Health and Human Services does not discriminate against individuals based on race, color, national origin, sex, gender identity or expression, sexual orientation, religious belief, political belief or handicap in acceptance for or provision of services or employment in its programs or activities.